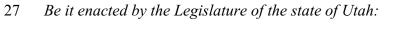
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HEALTH CARE AMENDMENTS
2020 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Raymond P. Ward
Senate Sponsor:
LONG TITLE
General Description:
This bill amends provisions relating to the use of public funds for contraceptives.
Highlighted Provisions:
This bill:
 removes a prohibition against using public funds to provide contraceptive services
to minors without consent from the minor's parent or guardian;
 amends provisions relating to the provision of contraceptives to minors; and
makes technical changes.
Money Appropriated in this Bill:
None
Other Special Clauses:
None
Utah Code Sections Affected:
AMENDS:
76-7-321, as last amended by Laws of Utah 1995, Chapter 20
76-7-322, as last amended by Laws of Utah 1988, Chapter 50
76-7-323, as last amended by Laws of Utah 1988, Chapter 50
76-7-325, as enacted by Laws of Utah 1983, Chapter 94





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28	Section 1. Section /6-7-321 is amended to read:
29	76-7-321. Definitions.
30	As used in Sections 76-7-321 through 76-7-325:
31	(1) "Abortion services" means any material, program, plan, or undertaking which seeks
32	to promote abortion, encourages individuals to obtain an abortion, or provides abortions.
33	[(2) "Contraceptive services" means any material, program, plan, or undertaking that is
34	used for instruction on the use of birth control devices and substances, encourages individuals
35	to use birth control methods, or provides birth control devices.]
36	(2) "Contraceptive" means an applicance, drug, or medical preparation intended or
37	having special utility for prevention of conception.
38	(3) "Funds" means any money, supply, material, building, or project provided by this
39	state or its political subdivisions.
40	(4) "Health care provider" means the same as that term is defined in Section
41	<u>78B-3-403.</u>
42	[(4)] (5) "Minor" means any person under the age of 18 who is not otherwise
43	emancipated, married, or a member of the armed forces of the United States.
44	Section 2. Section 76-7-322 is amended to read:
45	76-7-322. Public funds for provision of abortion services restricted.
46	No funds of the state or its political subdivisions shall be used to provide [contraceptive
47	or] abortion services to an unmarried minor without the prior written consent of the minor's
48	parent or guardian.
49	Section 3. Section 76-7-323 is amended to read:
50	76-7-323. Public funds for support entities providing abortion services restricted.
51	No agency of the state or its political subdivisions shall approve any application for
52	funds of the state or its political subdivisions to support, directly or indirectly, any organization
53	or health care provider that provides [contraceptive or] abortion services to an unmarried minor
54	without the prior written consent of the minor's parent or guardian. No institution shall be
55	denied state or federal funds under relevant provisions of law on the ground that a person on its
56	staff provides contraceptive or abortion services in that person's private practice outside of such
57	institution.
58	Section 4. Section 76-7-325 is amended to read:

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59	76-7-325. Notice to parent or guardian of minor requesting contraceptive
60	Penalty for violation.
61	(1) [Any person before] Before providing contraceptives to a minor, a health care
62	provider shall notify[, whenever possible,] the minor's parents or guardian of the service
63	requested to be provided to such minor[. Contraceptives shall be defined as appliances
64	(including but not limited to intrauterine devices), drugs, or medicinal preparations intended or
65	having special utility for prevention of conception.] unless the health care provider:
66	(a) determines that it would be detrimental to the health of the minor to withhold
67	contraceptives until parental consent can be obtained; and
68	(b) documents in the minor's medical record the reason that the health care provider
69	believes that requiring parental consent for the contraceptive would be detrimental to the health
70	of the minor.
71	[(2) Any person in violation of this section shall be guilty of a class C misdemeanor.]
72	(2) A health care provider who violates this section is guilty of unprofessional conduct
73	under Section 58-1-501.